

IN THE JUDICIAL FIRST CLASS MAGISTRATE COURT NEDUMKANDAM

Present: Sri. Karun Rajan, Judicial First Class Magistrate, Nedumkandam

Friday, the 05th day of June, 2026 /12th day of Jyaishta, 1948

ST 3001/2023

Complainant : State represented by the Sub Inspector of Police,
Vandanmedu, Cr. No.634/2023
(By APP, Nedumkandam)

Accused : Sivanandhan, aged 32/23 S/o Jayaraj, Parackal house,
Chittanpara bhagam, Pampupara kara, Anakkara
village.
(By Adv: S J Jaimon)

Offences : Punishable u/Ss. 279, 337, 338 of IPC and S. 181, 196,
192 MV Act.

Finding : Guilty.

Sentence or order : Only one accused faced the trial. Accused found not
guilty of the offences alleged against him. Hence, he is
acquitted u/S. 255(1) of the Cr.PC for the offences
punishable u/Ss. 279, 337, 338 of IPC and S. 181, 196,
192 MV Act.

Description of accused

SI NO	Name	Father's name/ Husband's name	Calling	Residence	Age
(1)	(2)	(3)	(4)	(5)	(6)
1	Sivanandhan	Jayaraj	-	Pampupara	32/23

Date of

Occurrence	Complaint	Apprehension/ Appearance	Release on bail	Commitment	Commencement of trial	Commencement of evidence	Close of trial	Sentence or order	Service of copy of judgment or finding on accused	Period of detention for the purpose of S. 428 Cr.P. C.	Explanation of delay
26/08/2023	29/08/2023	15/03/2024	15/03/2024	-	21/07/2025	12/03/2026	02/06/2026	05/06/2026	-	-	No delay

This case having been finally heard on the 02nd day of May, 2026 and this Court delivered the following today: -

J U D G M E N T

The accused stands charge-sheeted by the Sub Inspector of Police, Vandanmedu, Cr. No.634/2023 for the alleged commission of offences punishable u/Ss. 279, 337, 338 of IPC and S. 181, 196, 192 MV Act.

2. The prosecution case, in brief is as follows: - The prosecution case, in brief, is that the accused, without holding a valid driving licence, Insurance, Fitness certificate and Tax drove Autorickshaw bearing registration No. KL-KL 05 K 5675 in rash and negligent manner so as to endanger human life, proceeding from the Anakkara . At about 07:30 a.m. on 26/06/2023, at Anakkara bhagam on the Anakkara – Puttady Bypass road, the said Autorickshaw collided with a motor bike bearing registration No. KL-KL 68 B 0662 coming from the

opposite direction, namely from Anakkara – Puttady Bypass road. As a result of the collision, PW1 and PW2, whose were travelling in the bike, sustained grievous injuries to PW1 and PW2. Thus, according to the prosecution, the accused committed the offences punishable under Sections 279, 337, 338 of IPC and S. 181, 196, 192 MV Act.

3. On the accused appearance, he was served with copies of all the relevant prosecution records. The particulars of the offences u/Ss. 279, 337, 338 of IPC and S. 181, 196, 192 MV Act were read and explained to the accused to which, he pleaded not guilty and claimed to be tried.

4. To prove the case, the prosecution examined PW1 and PW2 and marked Ext. P1. There were no incriminating circumstances against the accused person. Hence, his examination under section 313 (1)(b) Cr.P.C. was dispensed with. No evidence was adduced from the defence side.

5. I heard both sides and perused the records.

6. The following points arise for consideration: -

1. Whether the accused drove Autorickshaw bearing registration No. KL-KL 05 K 5675 in a rash and negligent manner along the Anakkara – Puttady Bypass road, so as to endanger human life, thereby committing an offence punishable under Section 279 IPC?
2. Whether the accused caused hurt to PW1 and PW2 by driving the said Autorickshaw in a rash or negligent

manner so as to endanger human life, thereby committing an offence punishable under Section 337 IPC?

3. Whether the accused caused grievous hurt to PW2 by driving the said Autorickshaw in a rash or negligent manner so as to endanger human life, thereby committing an offence punishable under Section 338 IPC?
4. Whether the accused drove the aforesaid vehicle without holding a valid driving licence at the relevant time, thereby committing an offence punishable under Section 181 of the Motor Vehicles Act?
5. Whether the accused rode the above aforesaid vehicle with a valid insurance coverage at the material time and thereby committed an offence under section 196 MV Act?
6. Whether the accused rode the above aforesaid vehicle with a valid Tax at the material time and thereby committed an offence under section 192 MV Act?
7. Whether the accused is to be acquitted or convicted; and if convicted, what sentence is to be imposed?

7. Point Nos.1 to 6: - PW1 and PW2 are the injured witnesses in this case. PW1 deposed that he sustained injuries in the incident involved in the present case and underwent treatment at St. John's Hospital, Kattappana. While undergoing treatment there, he gave a statement to the Vandanmedu Police. He identified Ext.P1 as the First Information Statement given by him. According to

PW1, the incident occurred at about 7:30 p.m. on 26.08.2023. At the relevant time, he and his friend Anandhu were travelling on a motorcycle from Anakkara to Puttady. When they reached near the Chilling Plant, a goods auto-rickshaw coming from the opposite direction collided with their motorcycle. They were initially taken to a nearby hospital at Anakkara and thereafter shifted to St. John's Hospital, Kattappana. Since Anandhu had sustained a fracture to his leg, he was subsequently shifted to Caritas Hospital for further treatment. PW1 further stated that he was riding the motorcycle at the time of the accident. However, he deposed that he did not know who was driving the goods auto-rickshaw. He also stated that he had not told the police that the accident occurred due to the negligent driving of the driver of the goods auto-rickshaw. PW1 further deposed that the dispute had been settled with the accused and that he had no complaint against him.

8. PW2, the other injured witness, deposed that at the relevant time he was a student of Holy Cross College, Puttady. According to him, on the evening of 26.08.2023, he was travelling from Anakkara to Puttady on a motorcycle. When they reached near the Chilling Plant, a goods auto-rickshaw collided with the motorcycle. As a result of the impact, he fell down and lost consciousness. He sustained injuries in the accident. PW2 stated that he did not know who was driving the goods auto-rickshaw. He further deposed that he had not given any statement identifying the accused as the driver of the vehicle involved in the

accident. PW2 also stated that the matter had been settled with the accused and that he had no complaint against him.

9. In the above circumstances, the learned Assistant Public Prosecutor submitted that the examination of the remaining witnesses would not improve the prosecution case and accordingly gave up the remaining witnesses. Consequently, there is no evidence on record to establish that the accused was the person who drove the offending vehicle or that he committed the offences alleged against him. Hence, Points Nos. 1 to 6 are found against the prosecution.

10. Point No. 7:- In the light of my finding on the above points, the accused is found not guilty of the offences alleged against him. Hence, the accused is acquitted under section 255(1) of the Cr.P.C. of the offences punishable under Sections 279, 337, 338 of IPC and S. 181, 196, 192 MV Act. His bail bond stands cancelled and he is set at liberty forthwith. The property as per PR No.998/2023 was already entrusted with the owner on bond. The Bond is made absolute.

Dictated to the Confidential Assistant, transcribed and typed by him, corrected by me and pronounced in open court on this day, the 05th June, 2026.

Sd/-
Judicial First-Class Magistrate, Nedumkandam

APPENDIX

A – Prosecution witnesses

Rank	Name	Whether eye-witness, police witness, expert witness, medical witness, other witness
PW1	Nibin Abraham	Eye witness, dated 01/12/2025
PW2	Anandhu K R	Eye witness, dated 01/06/2026

B- Defence witness

Rank	Name	Whether eye-witness, police witness, expert witness, medical witness, other witness
		Nil

C- Court Witness

Rank	Name	Whether eye-witness, police witness, expert witness, medical witness, other witness
		Nil

List of Prosecution/Defence/Court Exhibits

A – Prosecution Exhibits

Sl. No.	Ext. No.	Description
1.	Ext.P1/PW1	FIS, dated 29/08/2023

B- Defence Exhibits

Sl. No.	Ext. No.	Description
	NIL	

C- Court Exhibits

Sl. No.	Ext. No.	Description
		Nil

D- Material Objects

Sl. No.	Material Objects	Description
1	NIL	

**Sd/-
Judicial First-Class Magistrate, Nedumkandam**